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1634  
JFW

May 20, 2004

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 10/066443  
For: *METHODS AND COMPOSITIONS FOR MODULATING GLUCONEOGENESIS  
USING PGC-1*  
Inventors: Spiegelman, Bruce *et al.*  
Filed: February 5, 2002  
Our Ref. No.: DFN-038

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Supplemental Information Disclosure Statement;
2. PTO Form SB-08;
3. A copy of the reference cited in PTO Form SB-08 (1);
4. A copy of the European Search Report; and
5. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement. However, please charge any other necessary fees due in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450:

May 20, 2004

Date

DeAnn F. Smith, Esq., Registration No. 36,683

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

DeAnn F. Smith, Esq.  
Registration No. 36,683  
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Spiegelman, Bruce *et al.*

Serial No.: 10/066443

Filed: February 5, 2002

For: *METHODS AND COMPOSITIONS FOR  
MODULATING GLUCONEOGENESIS USING PGC-1*

Attorney Docket No.: DFN-038

Group Art Unit: 1634

Examiner: Fredman, J.N.

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Certificate of First Class Mailing (37 CFR §1.8(a))

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May 20, 2004

Date of Signature and of Mail Deposit

By:

  
DeAnn F. Smith, Esq.

Reg. No. 36,683

Attorney for Applicants

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

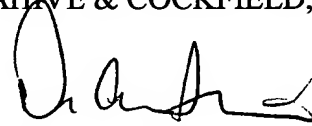
Applicants and their Attorney have become aware of the following publication, cited in a European Search Report dated February 13, 2004 during the prosecution of Application Number EP 02720906 which corresponds to the above-referenced application. In accordance with 37 CFR §1.97, Applicants hereby submit this publication for the Examiner's consideration. This publication is cited on the enclosed PTO Form SB-08, and a copy of the Report and the publication cited thereon are enclosed as well.

This statement is not to be interpreted as a representation that the cited publication is material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicants understand that the Examiner will make an independent evaluation of the cited publication.

In accordance with 37 CFR §1.97(e)(1), the undersigned hereby certifies that each item contained in this supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application *for the first time* not more than three months prior to the filing of this statement.

In accordance with 37 CFR §1.97(b)(3), no additional costs are believed to be due in connection with the filing of this supplemental Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080.

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP



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Date: May 20, 2004  
DFS/LMD/DLN/alf  
Enclosures



## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

Sheet	1	of	1
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**Complete if Known**

Application Number	10/066443
Filing Date	February 5, 2002
First Named Inventor	Spiegelman, Bruce
Art Unit	1634
Examiner Name	Fredman, J.N.
Attorney Docket Number	DFN-038

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>2</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	Kakuma <i>et al.</i> "Role of leptin in peroxisome proliferator-activated receptor gamma coactivator-1 expression." <i>Endocrinology</i> . 2000 Dec;141(12):4576-82	
Examiner Signature		Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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